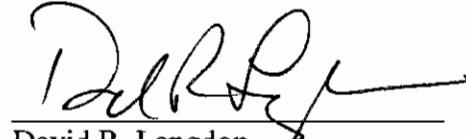


Respectfully submitted,



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*Motion for Admission *pro hac vice* forthcoming
+Of Counsel

VERIFICATION

Pursuant to 28 U.S.C. § 1746, I, the undersigned, declare under penalty of perjury that:

1. I am a citizen of the United States and a resident of the State of Ohio;
2. I am an agent for Citizens for Community Values, the Plaintiff in this action, and am authorized to speak on behalf of that organization; and
3. I have read the foregoing Verified Complaint and the facts as alleged are true and correct.

Dated this 17 day of March, 2008

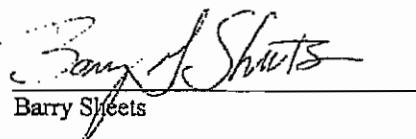

Barry Sheets

EXHIBIT 1

Meeting Room Overview

As an institution of education for democratic living, the library welcomes the use of its meeting rooms for cultural activities and discussion of public questions and social issues. Our meeting rooms are available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members, provided that the meeting is open to the public and no fee is charged for attending the meeting.

When they are not scheduled for library functions, the meeting rooms at Tremont, Lane Road and Miller Park are available for use without charge by any group associated with the City of Upper Arlington or any not-for-profit, tax exempt group. The rooms may also be used by other groups and businesses meeting for a **non-profit reason** with the following charges:

Room A — \$25 for three hours; \$5 each add'l hour

Room B — \$25 for three hours; \$5 each add'l hour

Theater — \$50 for three hours; \$10 each add'l hour

Lane Road — \$25 for three hours; \$5 each add'l hour

Miller Park — \$25 for three hours; \$5 each add'l hour

Photos of the meeting rooms can be seen on the library website at www.ualibrary.org under "About the Library." The use of the meeting rooms for commercial, religious or political campaign meetings is not permitted. However, committees affiliated with a church (such as a church board of trustees) will be allowed to use the meeting rooms provided no religious services are involved.

The UAPL Board of Trustees has determined that all workshops or seminars on financial, estate or retirement planning, and related topics will be considered "for profit" ventures and, therefore, sponsoring groups or individuals will not be permitted to use the library meeting rooms.

Meeting rooms at the Main Library can be reserved by calling the library's community relations department at 486-9621. Meeting space at the Lane Road Branch can be reserved by calling 459-0273. Meeting space at the Miller Park Branch can be reserved by calling 488-5710.

If there is doubt as to the eligibility of a group, the problem will be referred to the Library Director.

Organizations using library facilities should abide by the rules and regulations established by the library. A representative of each group is expected to read these policies in advance and will be required to sign an "acceptance of responsibility" form before using the room. The form assigns responsibility for loss or damages (to the room, furniture or audiovisual equipment) to the group or person sponsoring the meeting. Any room rental and equipment fees should be paid at the circulation desk just before using the room. The patron will be given a receipt for the amount paid.

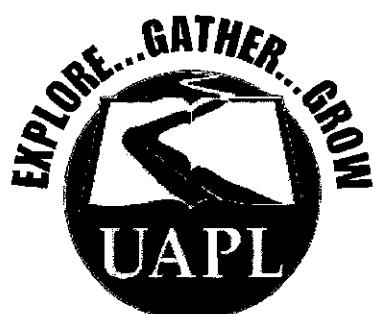
Occupancy Limits

Strict adherence to these limits is necessary due to Fire Codes.

Main Library: Meeting Room A — 14 people
 Meeting Room B — 40 people
 Friends Theater — 100 people

Lane Road Library: Meeting Room — 65 people

Miller Park Library: Meeting Room — 8 people



**Upper Arlington
Public Library System**

Meeting Room Rules

- 1) The meeting rooms are available on a first-come, first-served basis. Library meetings take precedence over all other use. The library reserves the right to change meeting rooms or cancel use of meeting rooms by an outside organization if the Director or Board of Trustees determines the space is needed for library purposes.
- 2) No part of a meeting may be soliciting (either directly or indirectly) in nature.
- 3) Meeting rooms may be scheduled no more than two months in advance. For example, a meeting room to be used on May 10 may not be reserved before March 10.
- 4) The meeting rooms are available for use during regular library hours only. Please include set-up and clean-up times when scheduling your meeting. All meetings must end 15 minutes before library closing time.
- 5) A representative from the group must sign in at the Circulation Desk prior to occupying the room. Groups cannot occupy their scheduled meeting room before or after their specified time without prior arrangement with the public relations department.
- 6) Meeting rooms are not available for receptions or private parties.
- 7) Persons scheduling the meeting rooms must be at least 18 years old. An adult must be present during the meeting.
- 8) Room set up and arrangement should be stated when a room is scheduled.
- 9) Each group using a room is responsible for clean up and returning the room to its original set up.
- 10) Certain library audiovisual equipment is available for use during meetings held at the library. Slide or overhead projectors, tables, chairs and a podium are available free of charge. A TV/VCR cart for use in Meeting Room A is available for a charge of \$10. Equipment from the audiovisual cabinet in Meeting Room B and the Friends Theater includes a laptop, DVD and VHS players, Internet connection, a CD player and various microphones. A \$10 charge applies to the use of equipment from the cabinet, and requires a library staff member to perform the set up. Equipment must be reserved when a meeting is scheduled.
- 11) Light refreshments are permissible in Meeting Room B and the Friends Theater at the Main Library. Drinking fountains are nearby to fill coffee or tea pots. Refreshments are also permitted in the conference room at the Lane Road branch. Groups must supply their own coffee pots, utensils, serving trays and related items.
- 12) Groups may not word publicity to imply that the library is a sponsor of the event or use the library as a contact for more information.
- 13) Groups are responsible for transporting, setting up and operating their own equipment (audiovisual, coffee pots, etc.) A cart can be provided upon request for bringing such equipment into the building.
- 14) Groups may not store or leave their equipment at the library overnight.
- 15) The library's staff lounge and vending machine are for staff use and are off limits to all meeting room guests.
- 16) Library staff members will not be responsible for taking telephone messages for guests attending meetings in library meeting rooms. A pay phone is in the library's vestibule.
- 17) Cancellation of a meeting should be given to the library 24 hours in advance, when possible.
- 18) There is no smoking or alcoholic beverages in the library at any time.
- 19) Events held in the library's meeting rooms must be conducted with a minimum of noise so as not to disturb other library patrons. Meetings and breaks must be restricted to the scheduled rooms.
- 20) Adults must be present at a meeting and assume responsibility for children in their group.
- 21) Children must not be left unattended in the library while their parents attend a meeting.
- 22) Meeting room guests are not permitted to tack, tape or post any signs or materials on meeting room doors, walls, windows or elsewhere in the library. An easel or clipboard is available on request.
- 23) The library will not be held responsible for any personal items lost or stolen before, during or after a meeting.

Any group, organization or individual failing to comply with these rules will be denied future meeting room privileges. Reinstatement of privileges can be granted only by action of the Upper Arlington Public Library Board of Trustees.

Sample of Sign-In Sheet

UPPER ARLINGTON PUBLIC LIBRARY Meeting Rooms and/or Little Theater Acceptance of Responsibility

As a representative of the group/organization _____

I have read the meeting room policies established by the Upper Arlington Public Library concerning use of the rooms, and agree to abide by these rules and regulations. I understand that the above group is responsible for cleaning up after the meeting and returning the room to its original condition. I also understand that the above group will be responsible for any damage incurred (be it accidental or otherwise) with regard to any equipment or furnishings in the meeting rooms of the library during the period of use by the above mentioned organization. I understand the library will not be held responsible for any damage, including theft and breakage to my personal property. I also understand that my group, organization or individual failing to comply to these rules may be denied future meeting room privileges at the Upper Arlington Public Library. I hereby state that I am over 18 years of age and that an adult will be in the meeting room for the duration of the meeting. I understand all meetings in the meeting rooms must be free and open to the public.

Date and time of the meeting:

a.m./p.m. until _____ a.m./p.m.

Meeting Room A _____ Friends Theater _____ Youth Activity Room _____

Equipment Request: (No Charge - made at time of initial room reservation)

1. Tables (#needed) _____
2. Chairs (#needed) _____
3. Easel _____
4. Microphones:
Standard - Wired # _____
Wireless - Handheld # _____
Wireless - Lavalier # _____

5. Dry Erase Easel Board# _____
6. Screen _____
7. Chalkboard _____
8. AV Cart _____
9. Podium/Lecturn _____ Table Podium _____
10. Portable PA unit for (Atrium) _____
11. Mic Stands:
Regular # _____ Boom # _____ Table Top # _____
12. Music Stands _____

No Charge

1. 16 mm projector _____
2. Carousel Slide projector _____
3. Overhead projector _____

\$10.00 Charge

1. Theater/Meeting Room B:
Show DVD/VHS _____
Play music CD _____
Bringing PowerPoint CD to use in our PC _____
Bringing own PC _____
Internet Access _____
2. TV/VCR (Meeting Room A)

Coordinator of Organization

Signature of Library Personnel

Upper Arlington Public Library
**Organization Profile for
Meeting Room Reservation**

Organization: _____

Describe the organization: _____

Type of Organization:

<input type="checkbox"/> Civic	<input type="checkbox"/> Community	<input type="checkbox"/> Professional association
<input type="checkbox"/> School	<input type="checkbox"/> Faith-based	<input type="checkbox"/> Business
<input type="checkbox"/> Government	<input type="checkbox"/> Social	<input type="checkbox"/> Other _____

Address: _____ City: _____ ZIP: _____

Phone: () _____

E-mail: _____

Website: _____

Representative reserving meeting room: _____

Contact number: () _____

Organization leader (if different): _____

Contact number: () _____

Description of meeting purpose:

Type of Meeting:

<input type="checkbox"/> Book club	<input type="checkbox"/> Planning
<input type="checkbox"/> Tutoring	<input type="checkbox"/> Event
<input type="checkbox"/> Board	<input type="checkbox"/> Other _____

I have read the attached UAPL meeting room policy and agree to the terms of meeting room use.

Signature

Date

Printed name

Title

EXHIBIT 2

ASSISTANT DIRECTOR'S REPORT

Porter said that she would be giving a WorldCat Local demonstration to the Board at a meeting in the future. She noted that the library is in the process of purchasing a movie package from My Library. This package will have feature films available through the library's website. Finally, she said that the library is planning to allow holds on DVDs and videos. She said that patrons have requested this for some time. Porter noted that staffing in two key departments now makes this feasible. The plan is to start allowing holds in September.

PRESIDENT'S REPORT

Motil urged Board members to remember their fiscal responsibilities now that the levy has passed. He said that the Board should continue to take a close look at expenditures, to be careful and to plan for expenditures as much as possible.

OLD BUSINESS

Kurfees noted that the Ad Hoc Committee had met twice. The notes from those meetings are included here.

*Ad Hoc Meeting Room Use Committee
Tuesday, June 05, 2007*

MEETING NOTES

IN ATTENDANCE: *Jack Burch, Bryce Kurfees, John Magill, Ann Moore, Christine Minx, Nancy Roth*

Kurfees called the meeting to order at 7:30 a.m. He suggested that the first issue was to decide whether the current policy needed to be changed and if so, then address specific changes.

Burch asked if there had been specific problems with the current policy. Minx responded that there have not been an overwhelming number of problems or patron complaints about the current policy. She noted that some people object to the two month advance booking limit but that she has not had frequent or consistent complaints regarding the limitations on political and religious groups' use of meeting rooms. Chris noted that on the other hand, the Strategic Plan does call for initiatives under the Commons goal to act as more of a gathering place for the community.

Burch said that he had no strong feelings one way or the other. He said that the current policy as written seems fine, but that situational application of the policy can be problematic. He said that the overriding requirements for meetings to be free and open to the public are clear.

Magill said that in reviewing policies across the nation, UAPL's seems to be in the middle of the road. He said that many policies were much more restrictive and demanding than ours. He noted that some libraries restrict meeting room use to only non-profit charities and require copies of organizations' 501(c) (3).

Kurfees said that he objects to the incongruity between the first paragraph of the policy and the third paragraph. He said that he does not think that religious study groups should be excluded. He said that political groups that are not campaigning should be permitted.

Magill said he would not recommend any changes at the present time. Burch said that the commercial aspects of the policy are clear, as are the political limitations. He said that he would not be against refining the language to clarify that religious worship groups would not be eligible to book rooms, but religious study groups could be acceptable.

Moore noted that defining "worship" vs. "study" could pose a different set of problems. She noted that no matter how detailed a policy or definition, there is always a grey area where library staff will have to make a judgment call. She said that she supports Minx's decision regarding the Bible study group whose denial of a meeting room led to the re-examination of the policy.

Minx noted that people are not always honest about the purpose of their meetings. She said that when staff becomes aware that policy was violated or inaccurate information was given to obtain the meeting space, the group is not permitted continued access.

Kurfees took note of Magill's desire to look at norms across the nation, but said that UA should make their own decision. He said that neither Seattle nor Chicago prohibit religious or political groups from using their meeting spaces. He noted that if the library is to serve as a community center, then meeting space should be made available to religious and political groups. He said that he fully supports the sentiment and goals of the mission statement, but he does not think that the third paragraph reflects the mission statement.

Burch said that he suggests that the committee and the Board look at a possible worst case scenario in coming to a decision about changing the policy. He noted that prohibitions based on content have not been supported by case law and Supreme Court decisions. He said that he did not want to become a target for constitutional challenges because of making a hasty decision without thinking about the complete ramifications of any changes proposed.

Moore noted that there is more media coverage of events in UA because of the nature of the community. She said that the library has been the focus of some